

CITY OF SAN ANTONIO
Board of Adjustment Agenda

Cliff Morton Development and Business Services Center
1901 S. Alamo
Board Room, First Floor

October 1, 2007
Monday, 1:00 PM

BOARD OF ADJUSTMENT MEMBERS

Vacant – District 1	Paul Klein – District 6
Edward Hardemon – District 2	Mary Rogers – District 7
Helen Dutmer – District 3	Andrew Ozuna – District 8
Gerald Yarborough – District 4	Michael Gallagher – District 10
George Alejos – District 5	Gene Camargo – District Mayor
Mike Villyard – District 9	
Chairman	

Maria Cruz	Michael Dean
Mimi Moffat	Henry Rodriguez
Rollette Schreckenghost	Pete Vallone

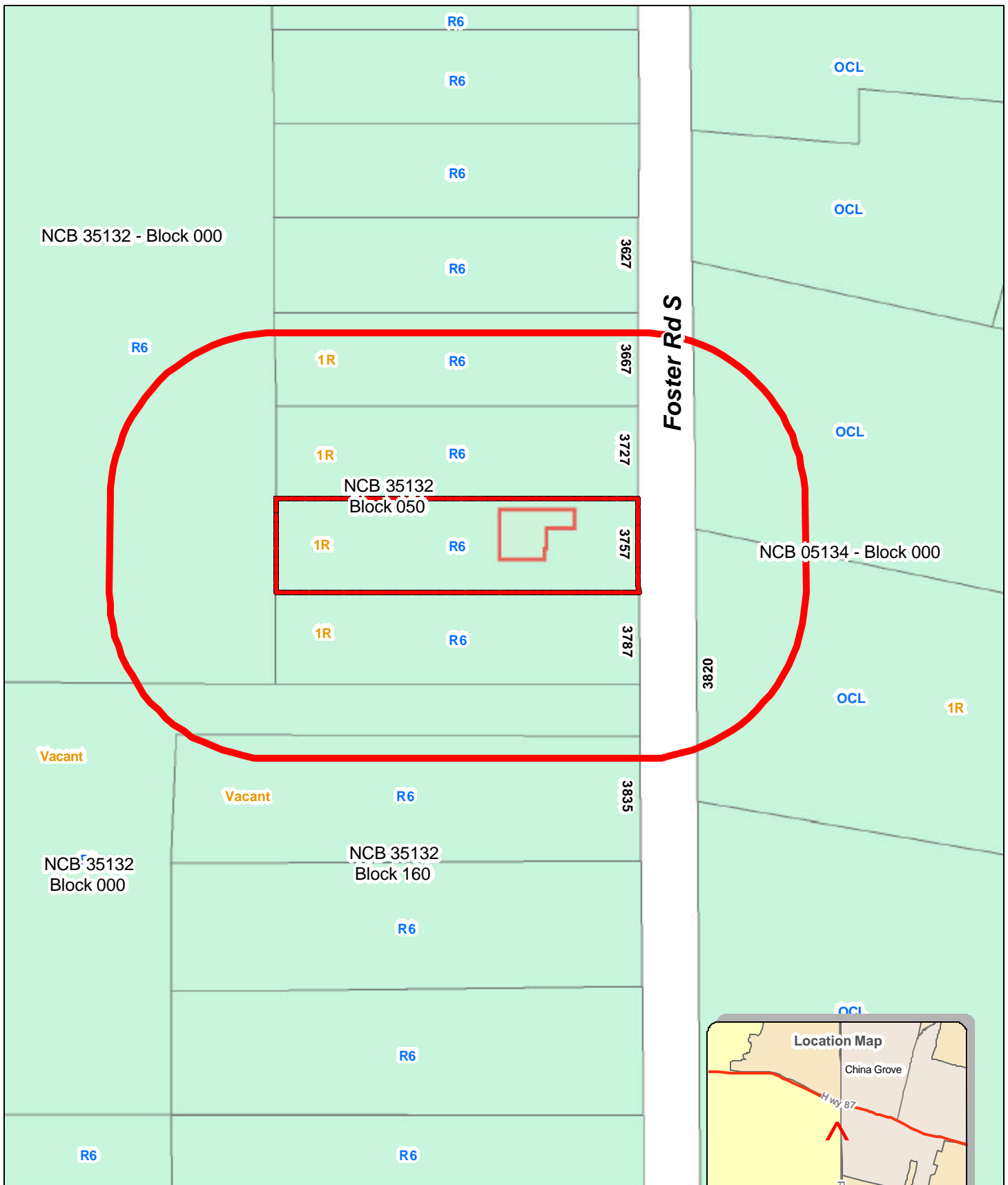
1. 1:00 PM –Call to Order – Board Room
2. Roll Call
3. Pledge of Allegiance.
4. **A-07-090PP:** The request of Olga Johnson, for a 2-foot variance from the Unified Development Code requirement that solid screen fences in side and rear yards be no taller than 6 feet in order to keep an 8-foot tall solid screen fence in the side yards, 3757 South Foster Road.
5. **A-07-097:** The request of Herminia Pachecano, for **1)** a 30-foot variance from the Unified Development Code requirement that, within the Beacon Hill Neighborhood Conservation District, carports shall be located a minimum of 5 feet behind the primary residence's front façade, in order to keep an existing carport that extends 25 feet in front of the primary residence's front façade, and **2)** a 5-foot variance from the requirement that a minimum 5-foot side setback be maintained in "R-6" Zoning districts, in order to keep the same carport on the side property line, 1133 West Woodlawn Avenue.
6. **A-07-098:** The request of Rakesh & Aditi Vazir, for **1)** a 10-foot variance from the Unified Development Code requirement that a minimum 30-foot front setback be maintained in "I-1" zoning districts in order to build a structure 20 feet from the front property line, and **2)** a 10-foot variance from the Unified Development Code requirement that a minimum 30-foot side setback be maintained in "I-1" zoning districts when abutting residential uses or residential zoning districts, in order to build the same structure 20 feet from the side property line, 2203 East Commerce Street.
7. **A-07-099:** The request of JP Morgan Chase Bank, for a 12 off-street parking space adjustment from the Unified Development Code requirement that a maximum of 29 off-street parking spaces be provided for a 5,800 square-foot bank, in order to allow 41 off-street parking spaces, 12503 Northwest Military Highway.

8. **A-07-100:** The request of Brenda Vaughn, for a 3-foot, 4-inch variance from the Unified Development Code requirement that a minimum 10-foot side setback be maintained in a “C-2” zoning district when abutting a residential use or residential zoning district, in order to construct a building 6 feet, 8 inches from the side property line, 1902 West Ashby Place.
9. Approval of **Corrected** August 20, 2007, September 17, 2007, February 6, 2006 and September 11, 2006 Minutes.
10. Staff Report.
11. Executive Session: consultation on Attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
12. **ADJOURNMENT**

Note: The City of San Antonio Board of Adjustment Agenda is on the Internet at: www.sanantonio.gov/dsd

Accessibility Statement

This meeting is wheelchair accessible. The accessible entrance is located at 1901 S Alamo. Accessible parking spaces are located in front of the building. Auxiliary aids and services are available upon request. Interpreters for the deaf must be requested at least 48 hours prior to the meeting by calling 207-7245



Board of Adjustment

Notification Plan for Case A-07-090



Legend

Subject Property ———
200' Notification Buffer ———



Scale: 1" approx. = 150'
Council District 2

Produced by the City of San Antonio
Development Services Department
(08/24/2007)

Board of Adjustment - Case No. A-07-090PP

October 1, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, October 1, 2007** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Olga Johnson
Lot 9, Block 50, NCB 35132
3757 South Foster Road
Zoned: “R-6” Residential Single-Family District

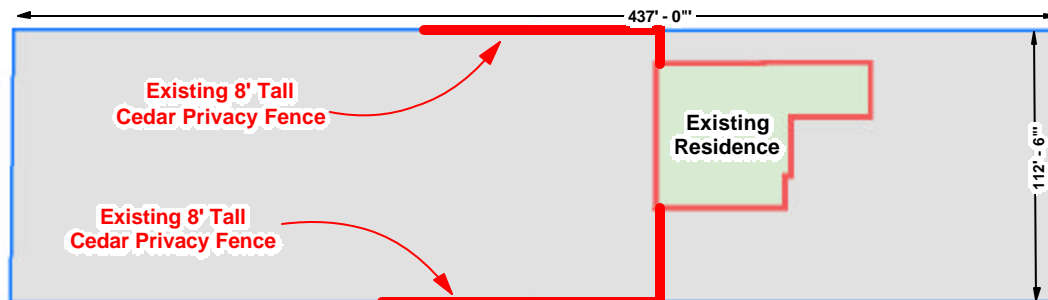
The applicant is requesting a 2-foot variance from the Unified Development Code requirement that solid screen fences in side and rear yards be no taller than 6 feet in order to keep an 8-foot tall solid screen fence in the side and rear yards

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. To check on the status of this case, or for additional information, you may contact Case Manager David Arciniega at (210) 207-6944. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

The Cliff Morton Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.

Whether or not you attend this public hearing, please complete and return the enclosed card to the Development Services Department, 1901 South Alamo, San Antonio, Texas 78204-3966. Thank you.



Foster Rd S

Lot 9
NCB 35132N - Block 050

Board of Adjustment

**Plot Plan for
Case A-07-090**



Scale: 1" approx. = 80'
Council District 2

3757 Foster Rd S

Produced by the City of San Antonio
Development Services Department
(08/24/2007)

CASE NO: A-07-090PP

Board of Adjustment – October 1, 2007

Applicant: Olga Johnson
Owner: Olga Johnson
Request(s): A 2-foot variance from requirement that solid screen fences in side yards be no taller than 6 feet in order to keep an 8-foot tall solid screen fence in the side yard
Legal Description: Lot 9, Block 50, NCB 35132N
Address: 3757 South Foster Road
Zoning: "R-6" Residential Single-Family District
Existing Use: Single-family residence
Neigh. Assoc: None
Neigh. Plan: None

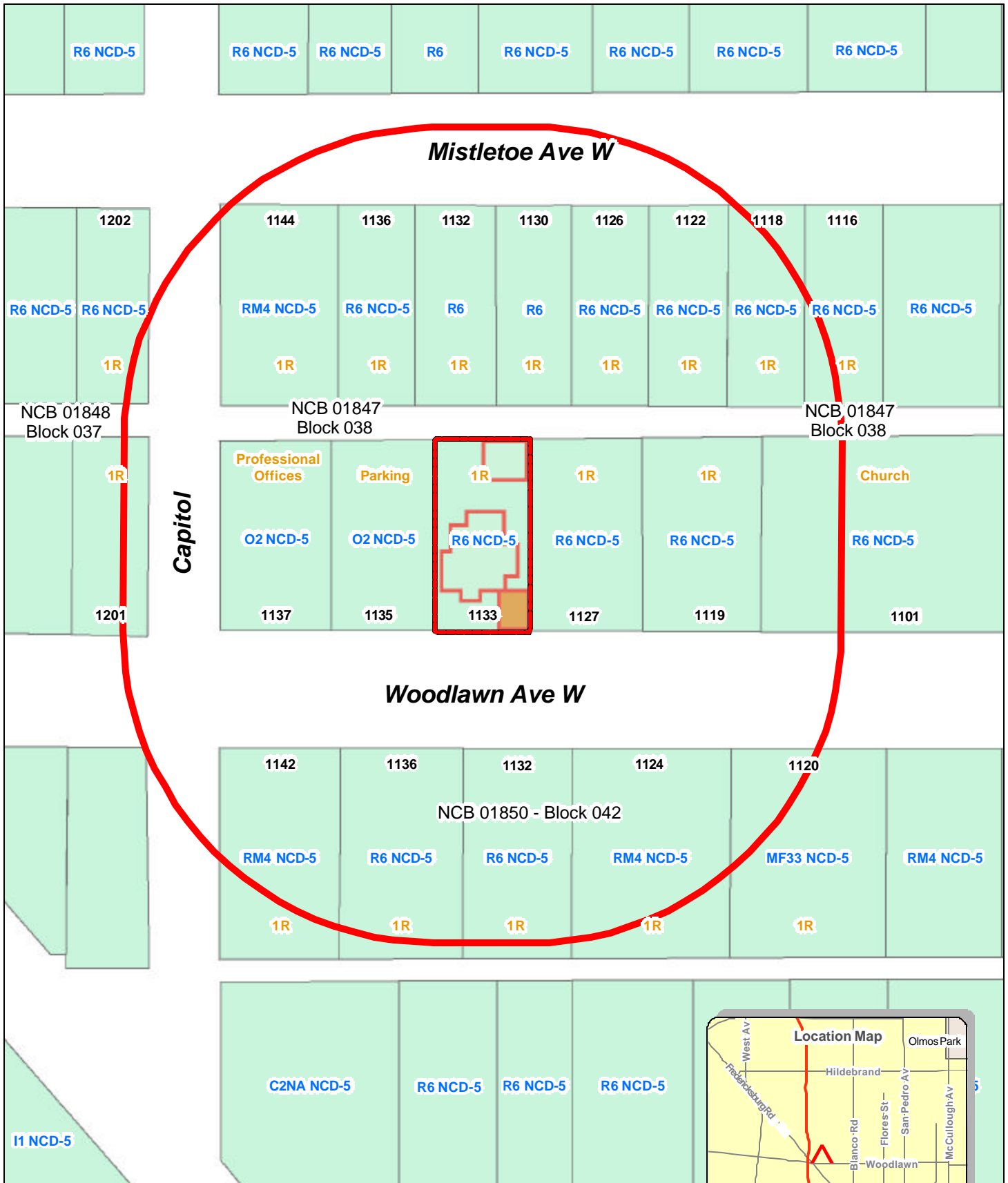
Section of the City Code from which this variance is requested

35-514 Fences and Walls: No fence or wall, other than the wall of a permitted structure, shall be erected or altered in any side or rear yard to exceed a height of 6 feet.

Background: The subject 1.1280-acre tract lies in a rural setting outside of Southeast Loop 410, and is situated on the west side of South Foster Road, north of New Sulphur Springs Road and south of Rigsby Avenue. The City of China Grove lies east of the subject property. Two single-family residentially zoned parcels abut to the north and south of the subject property. The single family residence on the subject property is situated approximately 150 feet from the front property line. An 8-foot tall solid screen fence lies approximately 195 feet from the street and extends 80 feet on both side property lines toward the rear of the property. This 8-foot tall solid screen fence was built without the required building permit. The investigation was initiated as the result of a citizen complaint.

Recommendation: The intent of the maximum fence height requirement in rear and side yards is to allow for property owners' desired privacy, while also allowing for openness, air flow, light penetration, and neighborhood uniformity. A 6-foot tall solid screen fence is typically deemed sufficient to provide the desired screening between residences. However, in consideration of the rural setting, surrounding large acre tract residential lots, the 150-foot front setback of the residence, the 195-foot setback of this fence from the street and the minimal impact it appears the subject fence has on the surrounding residential properties, it appears the subject fence still observes the spirit and intent of the ordinance. Furthermore, the size and scale of the subject fence is consistent with the abutting property to the south. Staff recommends **approval** of the variance request.

Case Manager: David Arciniega, Planner (210) 207-6944



Board of Adjustment

Notification Plan for Case A-07-097



Legend

Subject Property ———
200' Notification Buffer ———



Scale: 1" approx. = 80'
Council District 1

Produced by the City of San Antonio
Development Services Department
(09/13/2007)

Board of Adjustment - Case No. A-07-097

October 1, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, October 1, 2007** in the Board Room on the 1st floor of the Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Herminia Pachecano

Lot 30, the east 12.5 feet of Lot 29, and the west 22.5 feet of Lot 31, Block 38, NCB 1847

1133 West Woodlawn Avenue

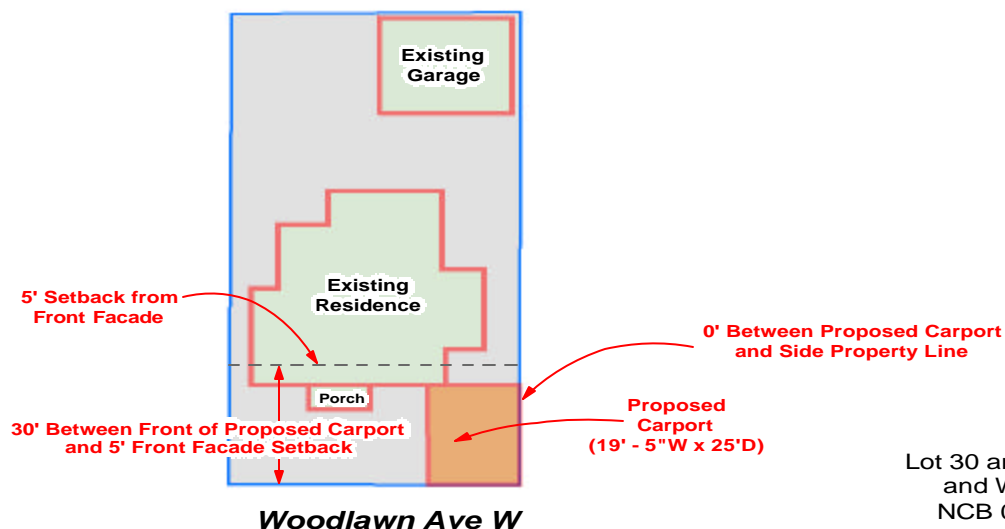
Zoned: “R-6 NCD-5” Residential Single-Family, Beacon Hill Neighborhood Conservation District

The applicant is requesting **1)** a 30-foot variance from the Unified Development Code requirement that, within the Beacon Hill Neighborhood Conservation District, carports shall be located a minimum of 5 feet behind the primary residence’s front façade, in order to keep an existing carport that extends 25 feet in front of the primary residence’s front façade, and **2)** a 5-foot variance from the requirement that a minimum 5-foot side setback be maintained in “R-6” Zoning districts, in order to keep the same carport on the side property line

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. To check on the status of this case, or for additional information, you may contact Case Manager David Arciniega at (210) 207-6944. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

The Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.



Lot 30 and E 12.5 ft of Lot 29
and W 22.5 ft of Lot 31
NCB 01847 - Block 038

Board of Adjustment

**Plot Plan for
Case A-07-097**



1133 Woodlawn Ave W

Scale: 1" approx. = 40'
Council District 1

Produced by the City of San Antonio
Development Services Department
(09/19/2007)

CASE NO: A-07-097

Board of Adjustment – October 1, 2007

Applicant: Herminia Pachecano

Owner: Herminia Pachecano

Request(s): 1) a 30-foot variance from the requirement that within the Beacon Hill Neighborhood Conservation District, carports shall be located a minimum of 5 feet behind the primary residence's front façade, in order to keep an existing carport that extends 25 feet in front of the primary residence's front façade, and 2) a 5-foot variance from the requirement that a minimum 5-foot side setback be maintained in "R-6" Zoning Districts, in order to keep the same carport on the side property line

Legal Description: Lot 30, the east 12.5 feet of Lot 29 and the west 22.5 feet of Lot 31, Block 38, NCB 1847

Address: 1133 West Woodlawn Avenue

Zoning: "R-6 NCD-5" Residential Single-Family, Beacon Hill Neighborhood Conservation District

Existing Use: Residential Single-Family

Neigh. Assoc: Beacon Hill Neighborhood Association

Neigh. Plan: Midtown Neighborhood and Community Plan

Sections of the City Code from which these variances are requested

Section 35-335 "NCD" Neighborhood Conservation District: The Beacon Hill Neighborhood Conservation District requires that carports be located at least 5 feet behind the primary dwelling structure's front façade.

Section 35-310 Zoning District Purpose Statements and Design Regulations: A minimum 5-foot side setback is required in "R-6" zoning districts.

Background: The subject property is located in an established single-family residential neighborhood and is occupied by a single-family residence. The subject property is situated on the north side of West Woodlawn Avenue, between IH 10 West and Blanco Road. The subject property is surrounded by residential zoning and uses to the north, south and east. An office zoning district abuts the subject property to the west. The applicant was in the process of removing the old carport and replacing it with a new carport, using the same footprint and columns. Rebuilding of this carport began without a building permit and the owner was issued a citation on August 21, 2007. The investigation was initiated as a result of a citizen complaint. This property is located in the Beacon Hill Neighborhood Conservation District which specifically delineates design standards for carports.

Recommendation: Within the Beacon Hill Neighborhood Conservation District, a detached carport may be constructed in the rear yard (or side yard, if corner lot). It may also be constructed as an integral element of the primary structure, if it:

- a) is recessed a minimum of 5 feet behind the primary structure's front façade,
- b) is constructed of building materials with the same scale, proportion and/or profile, and
- c) maintains the same roof line(s) as the primary structure.

Temporary carport structures, constructed of a canvas or vinyl tent material with pole supports, are prohibited.

From pictures provided by the applicant and a site inspection, it appears that sufficient space may exist for the proposed carport to comply with Beacon Hill Neighborhood Conservation District standards. The designation of a Neighborhood Conservation District provides residents with a tool to preserve and protect the unique character of the neighborhood. Granting permission to rebuild the carport as proposed would not uphold the spirit of the NCD program. Staff recommends **denial of variance request number 1 above**.

The intent of the side setback requirement is to allow for air flow, light penetration, neighborhood uniformity, and to prevent the overcrowding of lots to maintain a reasonable amount of open space desired in single-family residential neighborhoods. This lot does not appear to be characterized by any unique terrain features where literal enforcement of the side setback requirement would result in unnecessary hardship. Staff recommends **denial of variance request number 2**.

Case Manager: David Arcinega, Planner (210) 207-6944

City of San AntonioP.O. Box 839966
San Antonio, TX 78283-3966**GENINVEST Case****Report Date** 09/20/2007 09:28 AM**Submitted By**

Page 1

Case # 64796**Case Information****Stages**

	Date / Time	By
Processed	08/20/2007 10:46	JD10507
Resolved		
Expires		

Associated Information

Case Group	PERMIT	WORKING W/O PERMIT	
Priority	P2	MED PRIORITY	<input checked="" type="checkbox"/> Auto Reviews
Resolution Code			
Source	CALL	CITIZEN DIRECT CALL	
Name			

Applications Affected☒ **Building Application** ☐ **Project Application** ☐ **Use Application** ☐ **License Application** ☐ **Case****Description of Case**

BUILDING CARPORT WITHOUT PERMITS. *** 8/21/07 this is a neighborhood conservation. Per insp Cuellar needs to have the right set backs**AGcarport is approx. 10 feet away from front property line. /// 08/22/07 owner removed existing carport that did not comply with setbacks. by removing carport, carport can no longer be constructed in existing place. will need to apply for variance. owner has obtained paper work to fill out for variance. there is no construction going on at this time, only clean up. /// 09/04/07 owner has applied for a variance to keep carport as it was before being knocked down. hearing scheduled for 10/01/07.

Project #	Project/Phase Name	Phase #
Size/Area	Size Description	

Customer Service			
Service #	Problem	Resolution Code	Resolved Date

No Customer Service Log Entries

Property/Site Information**Address** 1133 W WOODLAWN
SAN ANTONIO TX 78201-0000**Location****Owner/Tenant**

There are no contacts for this site

Linked Addresses

No Addresses are linked to this Application

A/P Linked Addresses

No Addresses are linked to this Application

Linked Parcels

14537

A/P Linked Parcels

No Parcels are linked to this Application

Applicants/Contacts

No Applicant Contacts

Contractors

No Contractors



Board of Adjustment

Notification Plan for Case A-07-098



Legend

Subject Property ———

200' Notification Buffer ———

Scale: 1" approx. = 100'
Council District 2

Produced by the City of San Antonio
Development Services Department
(09/13/2007)

Board of Adjustment - Case No. A-07-098

October 1, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, October 1, 2007** in the Board Room on the 1st floor of the Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Rakesh & Aditi Vazir

Lots 1,2,3,14,15 and 16, Block 7, NCB 1440

2203 East Commerce Street

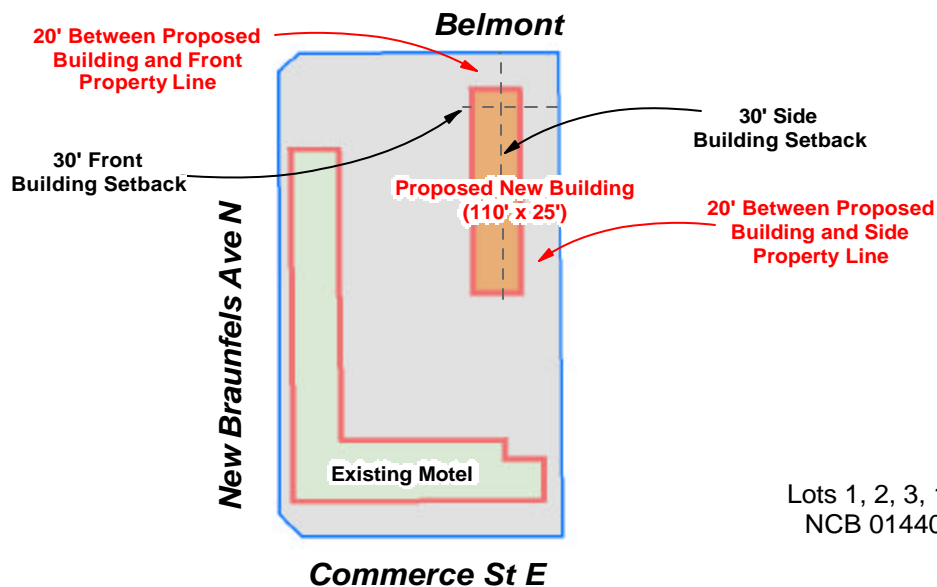
Zoned: "I-1" General Industrial District

The applicant is requesting **1)** a 10-foot variance from the Unified Development Code requirement that a minimum 30-foot front setback be maintained in "I-1" zoning districts in order to build a structure 20 feet from the front property line, and **2)** a 10-foot variance from the Unified Development Code requirement that a minimum 30-foot side setback be maintained in "I-1" zoning districts when abutting residential uses or residential zoning districts, in order to build the same structure 20 feet from the side property line.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. To check on the status of this case, or for additional information, you may contact Case Manager David Arciniega at (210) 207-6944. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

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Lots 1, 2, 3, 14, 15, and 16
NCB 01440 - Block 007

Board of Adjustment

**Plot Plan for
Case A-07-098**



Scale: 1" approx. = 100'
Council District 2

2203 Commerce St E

Produced by the City of San Antonio
Development Services Department
(09/14/2007)

CASE NO: A-07-098

Board of Adjustment – October 1, 2007

Applicant: Rakesh & Aditi Vazir

Owner: Vasanti LLC

Request(s): **1)** a 10-foot variance from the minimum 30-foot front setback required in “I-1” zoning districts in order to build a structure 20 feet from the front property line, and **2)** a 10-foot variance from the minimum 30-foot side setback required in “I-1” zoning districts when abutting residential uses or residential zoning districts, in order to build the same structure 20 feet from the side property line

Legal Description: Lots 1, 2, 3, 14, 15 and 16, Block 7, NCB 1440

Address: 2203 East Commerce Street

Zoning: “I-1” General Industrial District

Existing Use: Motel

Neigh. Assoc: Jefferson Heights Neighborhood Association and Nevada Street Neighborhood Association (within 200 feet)

Neigh. Plan: Arena District/Eastside Community Plan

Section of the City Code from which these variances are requested:

35-310 Zoning District Purpose Statements and Design Regulations: A minimum 30-foot front setback is required in “I-1” zoning districts, and a minimum 30-foot side setback is required in “I-1” zoning districts when abutting a residential use or residential zoning district.

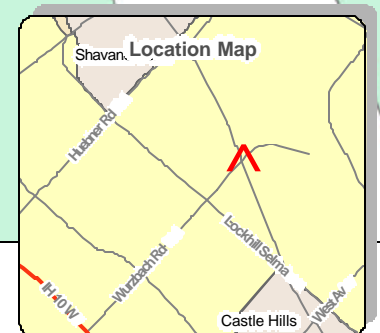
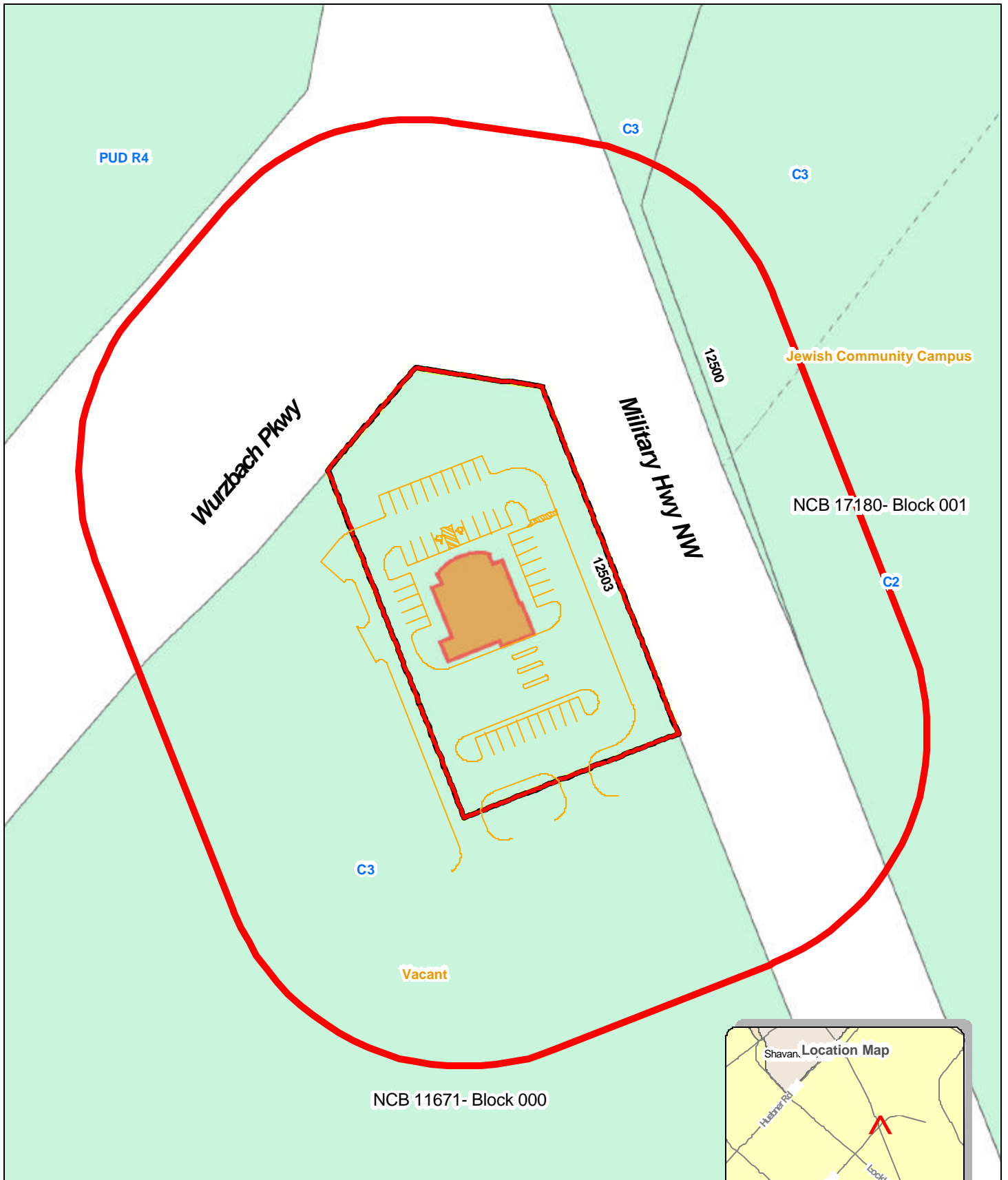
Background: The subject properties are located on the City’s near east side. These multiple contiguous lots contain an existing motel and an associated parking lot. The motel is situated on the northeast corner of East Commerce Street and North New Braunfels Avenue and the southeast corner of North New Braunfels Avenue and Belmont Street. Adjacent properties to the north and south are occupied by commercial establishments. The lots to the east are occupied by single-family residences. Development Preservation Rights (DPR) have been registered with the Development Services Department for the existing motel. The DPR allows the motel to remain a legal land use and retain the right to obtain building permits for possible future rebuilding and/or expansion. The applicant is proposing to expand the existing structure and build a detached 25-foot X 110-foot rectangular building.

Recommendation: The intent of the front setback requirement in industrial districts is to provide a reasonable buffer between the public right-of-way, to allow for air flow and light penetration, and to prevent the overcrowding of lots. There does not appear to be special physical or topographic conditions on this property where literal enforcement of the front setback requirement would result in unnecessary hardship. It appears that there are other viable options that would allow the property to be developed for the intended use in accordance with all setback requirements. Staff recommends **denial of variance request number 1 above.**

The intent of the side setback requirement for industrial districts is to provide a reasonable buffer to protect abutting residences from excessive noise, light, and traffic typically generated by

commercial uses, to allow for air flow and light penetration, and to prevent the overcrowding of lots. This lot does not appear to be characterized by any unique terrain features where literal enforcement of the side setback requirement would result in unnecessary hardship. It appears that there are other viable options that would allow the property to be developed for the intended use in accordance with all setback requirements. Staff recommends **denial of variance request number 2 above** .

Case Manager: David Arciniega, Planner (210) 207-6944



Board of Adjustment

Notification Plan for
Case A-07-099



Legend

Subject Property ———
200' Notification Buffer ———

Scale: 1" approx. = 100'
Council District 8

Produced by the City of San Antonio
Development Services Department
(09/13/2007)

Board of Adjustment - Case No. A-07-099

October 1, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, October 1, 2007** in the Board Room on the 1st floor of the Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

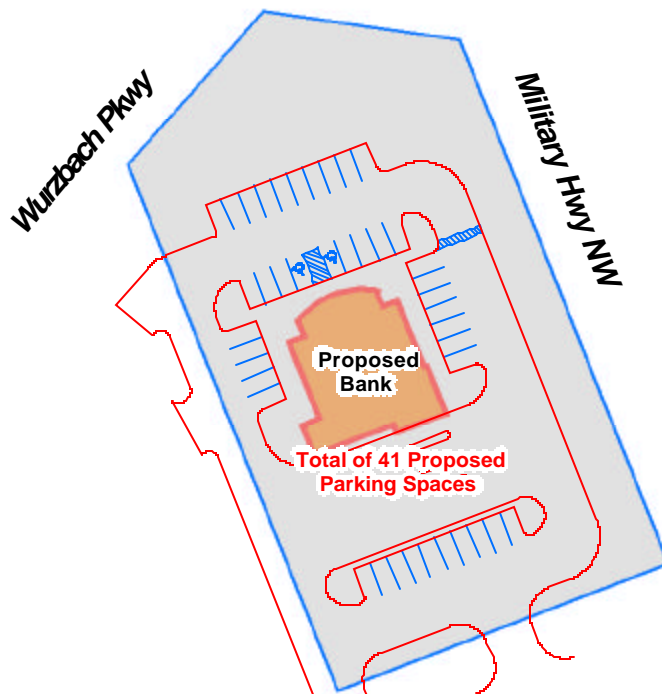
Applicant – JP Morgan Chase Bank
A 1.386 acre tract out of P-28, NCB 11671
12503 Northwest Military Highway
Zoned: “C-3” General Commercial District

The applicant is requesting a 12 off-street parking space adjustment from the Unified Development Code requirement that a maximum of 29 off-street parking spaces be provided for a 5,800 square-foot bank, in order to allow 41 off-street parking spaces

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. To check on the status of this case, or for additional information, you may contact Case Manager David Arciniega at (210) 207-6944. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

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Part of Parcel P-28
NCB 11671 - Block 000

Board of Adjustment

**Plot Plan for
Case A-07-099**



Scale: 1" approx. = 100'
Council District 8

12503 Military Hwy NW

Produced by the City of San Antonio
Development Services Department
(09/12/2007)

CASE NO: A-07-099

Board of Adjustment – October 1, 2007

Applicant: JP Morgan Chase Bank

Owner: Voelcker Investment Group LTD

Request(s): A 12 off-street parking space adjustment from the maximum 29 off-street parking spaces allowed for a 5,800 square-foot bank, in order to allow 41 off-street parking spaces

Legal Description: A 1.386 acre tract out of P-28, NCB 11671

Address: 12503 Northwest Military Highway

Zoning: "C-3" General Commercial District

Existing Use: Vacant land

Neigh. Assoc. None

Neigh. Plan None

Section of the City Code from which this adjustment is requested:

35-526 Parking and Loading Standards: A maximum of 1 off-street parking space per 200 square feet of gross floor area is allowed for banks. The Board may adjust the maximum parking requirements based on a hardship created by a strict interpretation of the parking regulations. Any parking adjustment shall apply only to the use in the original certificate of occupancy.

Background: The subject property is situated on the southeast corner of Northwest Military Highway and Wurzbach Parkway, on the west side of Northwest Military Highway. The subject property is undeveloped and located immediately north of a commercially zoned tract of land. The applicant proposes to construct a 5,800 square-foot bank and associated parking lot. According to the above referenced development standard, the size of the proposed building would allow a maximum of 29 off-street parking spaces. The applicant proposes to install 41 off-street parking spaces on this site.

Recommendation: The Unified Development Code outlines the appropriate ratios for parking spaces based on the proposed use. The purpose of the maximum parking requirements is to prevent parking lots from sprawling beyond necessity while still allowing for the reasonable parking needs of people making use of the premises. The applicant has indicated that, based on the number of spaces needed for employee and customer parking, the maximum 29-space limit may result in traffic circulation problems. The subject tract does not appear to have any unique conditions that would result in an unnecessary hardship. Additionally, similar uses have been developed in San Antonio without a variance from the maximum parking requirements. Considering the applicant's most recent requests before the Board for two additional off-street parking spaces for a 4,400 square-foot bank building, an additional 12 off-street parking spaces (for a 5,800 square-foot bank building) would appear to be a disproportional parking adjustment request and would not support the intent of the UDC's parking standards. Staff recommends **denial** of the requested off-street parking adjustment.

Case Manager: David T. Arciniega, Planner (210) 207-6944

SCALE AND ORIENTATION



- LEGEND
- 1. NEW CONSTRUCTION
 - 2. EXISTING CONSTRUCTION
 - 3. EXISTING UTILITIES
 - 4. EXISTING ROADWAY
 - 5. EXISTING SIDEWALK
 - 6. EXISTING DRIVEWAY
 - 7. EXISTING FENCE
 - 8. EXISTING LOT
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NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA CIVIL ENGINEERING BOARD'S STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, LATEST EDITION, AND THE LATEST EDITIONS OF THE CALIFORNIA CIVIL ENGINEERING BOARD'S STANDARD SPECIFICATIONS FOR HIGHWAY MATERIALS, LATEST EDITION.

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REVISIONS

NO.	DATE	DESCRIPTION
1	8/24/07	ISSUED FOR CONSTRUCTION

CHASE

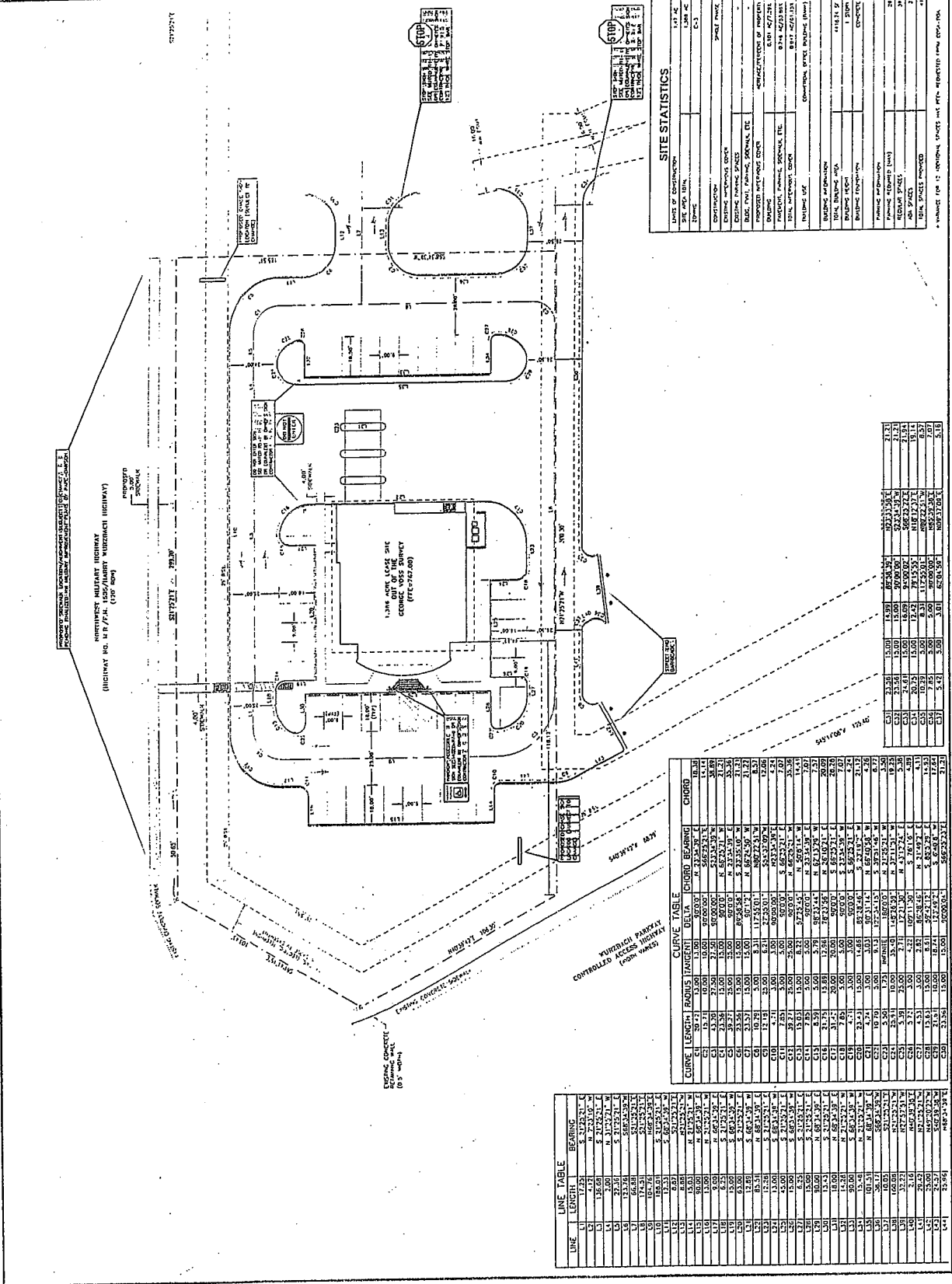
CHASE BANK - NEW MILITARY & WURMBACH - ISSUE FOR CONSTRUCTION

CHASE BANK - NEW MILITARY & WURMBACH - ISSUE FOR CONSTRUCTION

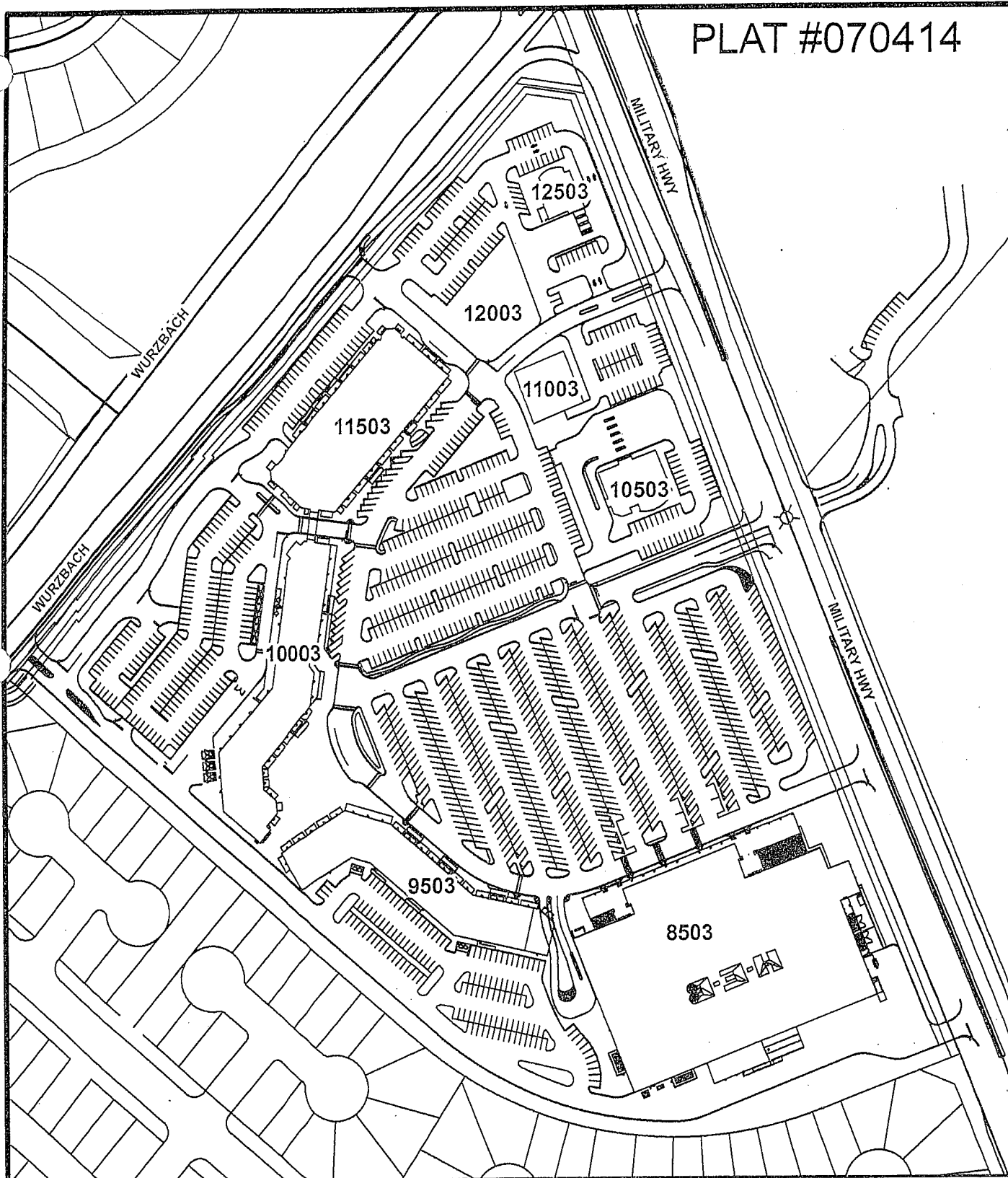
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PLAT #070414

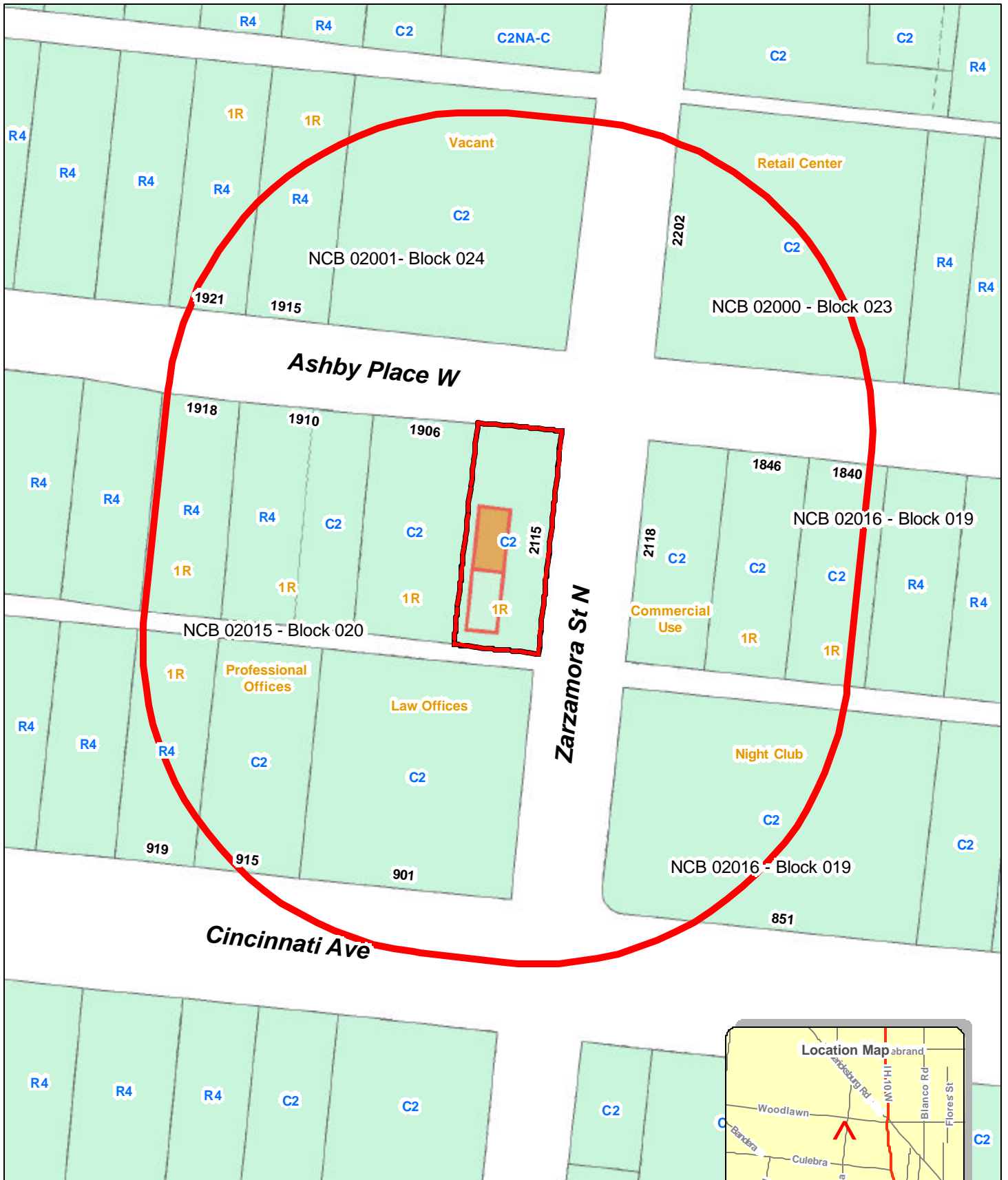


ALON TOWN CENTRE



City of San Antonio
Development Services Department
1901 S. Alamo St.
P.O. Box 839966
San Antonio, Texas 78283-3966

House Numbering Department
207-0260 Fax 207-6073



Board of Adjustment

Notification Plan for Case A-07-100



Legend

Subject Property ———
200' Notification Buffer ———

Scale: 1" approx. = 80'
Council District 7



Produced by the City of San Antonio
Development Services Department
(09/13/2007)

Board of Adjustment - Case No. A-07-100

October 1, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, October 1, 2007** in the Board Room on the 1st floor of the Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Brenda Vaughn

Lot 26 and the east 3 feet of Lot 25, Block 20, NCB 2015

1902 West Ashby Place

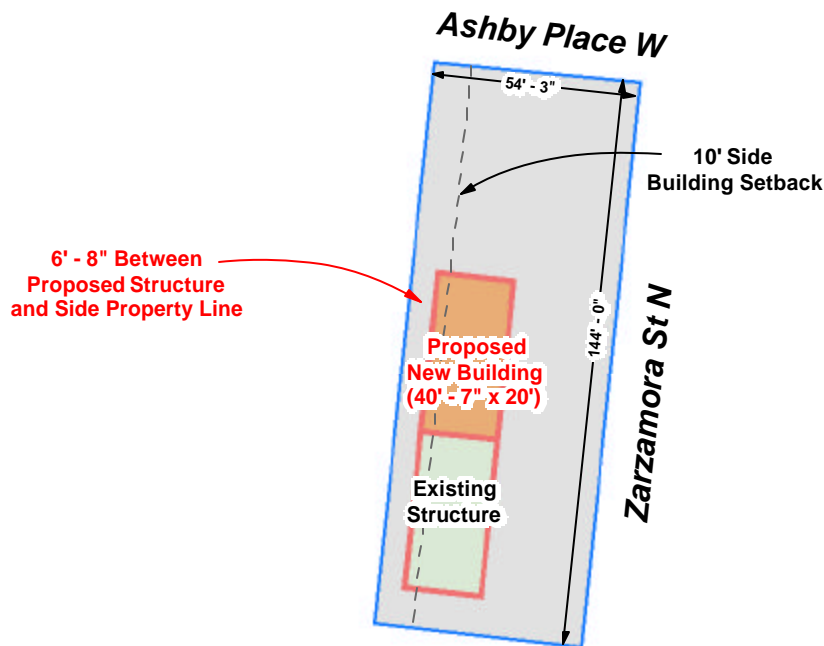
Zoned: "C-2" Commercial District

The applicant is requesting a 3-foot, 4-inch variance from the Unified Development Code requirement that a minimum 10-foot side setback be maintained in a "C-2" zoning district when abutting a residential use or residential zoning district, in order to construct a building 6 feet, 8 inches from the side property line

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. To check on the status of this case, or for additional information, you may contact Case Manager David Arciniega at (210) 207-6944. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

The Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.



Lot 26 and E 3 ft of Lot 25
NCB 02015 - Block 020

Board of Adjustment

**Plot Plan for
Case A-07-100**



Scale: 1" approx. = 50'
Council District 7

1902 Ashby Place W

Produced by the City of San Antonio
Development Services Department
(09/19/2007)

CASE NO: A-07-100

Board of Adjustment – October 1, 2007

Applicant: Brenda Vaughn

Owner: Chris & Brenda Vaughn

Request(s): A 3-foot, 4-inch variance from the minimum 10-foot side setback required in a "C-2" zoning district when abutting a residential use or residential zoning district, in order to construct a building 6 feet, 8 inches from the west side property line

Legal Description: Lot 26 and east 3 feet of Lot 25, Block 20, NCB 2015

Address: 1902 West Ashby Place

Zoning: "C-2" Commercial District

Existing Use: Vacant structure

Neigh. Assoc: Woodlawn Lake Neighborhood Association

Neigh. Plan: Northwest Neighborhood Community Plan

Section of the City Code from which this variance is requested

35-310 Zoning District Purpose Statements and Design Regulations: A minimum 10-foot side setback is required in "C-2" zoning districts when abutting a residential use or a residential zoning district.

Background: The subject property is located in the City's west side and contains a vacant commercial structure.. The property is situated on the southwest corner of West Ashby Place and North Zarzamora Street and is surrounded by "C-2" zoning. A single-family residence abuts west of the subject property. The applicant is proposing a 40.6-foot X 20-foot addition to be built inline with the original building. As planned, the addition would be built 6 feet, 8 inches from the west side property line, thereby encroaching into the 10-foot side setback.

Recommendation: The intent of the side setback requirement for commercial uses is to help provide a reasonable buffer to protect abutting residences from the noise, light, and traffic typically generated by commercial uses, to allow for air flow and light penetration, and to prevent the overcrowding of lots. This lot does not appear to be characterized by any unique terrain features where literal enforcement of the side setback requirement would result in an unnecessary hardship. It appears that there are other viable options that would allow the property to be developed for the intended use in accordance with all setback requirements. Staff recommends **denial** of the side setback variance.

The applicant is in the process of attaining a Cooperative Parking Plan agreement, in order to meet the off-street parking space requirements.

Case Manager: David Arcinega, Planner (210) 207-6944